

**BEFORE THE
DIVISION OF MEDICAL QUALITY
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

**In the Matter of the Accusation
Against:**

MAYNA MEAH CHOUDRY, M.D.

**Physician's and Surgeon's
Certificate #G-82347**

Respondent.

File No: 02-1999-96862

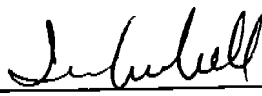
DECISION AND ORDER

The attached Stipulation for Surrender of License is hereby adopted as the Decision and Order of the Division of Medical Quality of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on May 3, 2000.

IT IS SO ORDERED April 26, 2000

MEDICAL BOARD OF CALIFORNIA



**Ira Lubell, M.D.
Chair, Panel A
Division of Medical Quality**

1 BILL LOCKYER, Attorney General
of the State of California
2 GAIL M. HEPPELL
Supervising Deputy Attorney General
3 ROBERT C. MILLER
Deputy Attorney General
4 1300 I Street, Suite 125
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5 Sacramento, CA 94244-2550
Telephone: (916) 324-5161
6 Attorneys for Complainant
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8

9 **BEFORE THE**
10 **DIVISION OF MEDICAL QUALITY**
11 **MEDICAL BOARD OF CALIFORNIA**
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

12 In the Matter of the Accusation Against:)

Case No. 02-1999-96862
OAH No. N2000010234

13 **MAYNA MEAH CHOUDRY, M.D.**)

P.O. Box 788)

14 Chowchilla, CA 93610)

STIPULATION FOR
SURRENDER OF LICENSE

15 Physician and Surgeon's)
Certificate No. G-82347)

16 Respondent.)
17

18 **IT IS HEREBY STIPULATED AND AGREED** by and between the parties to
19 the above-entitled proceedings that the following matters are true:

- 20 1. Complainant, Ronald Joseph, is the Executive Director of the Medical
21 Board of California, Department of Consumer Affairs ("Board") and is represented by Bill
22 Lockyer, Attorney General of the State of California by Robert C. Miller, Deputy Attorney
23 General.
- 24 2. Mayna Meah Choudry, M.D. (hereinafter "respondent") is represented by
25 Albert J. Garcia, Esq., 1995 University Avenue, Suite 265, Berkeley, California 94704.
26 Respondent has counseled with his attorney concerning the effect of this stipulation which
27 respondent has carefully read and fully understands.

1 3. Respondent has received and read the Accusation which is presently on
2 file and pending in Case Number 02-1999-96862 before the Board, a copy of which is attached
3 as Exhibit A and incorporated herein by reference.

4 4. Respondent understands the nature of the charges alleged in the
5 Accusation and that, if proven at hearing, such charges and allegations would constitute cause for
6 imposing discipline upon respondent's license issued by the Board.

7 5. Respondent is aware of each of his rights, including the right to a hearing
8 on the charges and allegations, the right to confront and cross-examine witnesses who would
9 testify against respondent, the right to testify and present evidence on his own behalf, as well as
10 to the issuance of subpoenas to compel the attendance of witnesses and the production of
11 documents, the right to contest the charges and allegations, and other rights which are accorded
12 respondent pursuant to the California Administrative Procedure Act (Gov. Code § 11500, et seq.)
13 and other applicable laws, including the right to seek reconsideration, review by the superior
14 court, and appellate review.

15 6. In order to avoid the expense and uncertainty of a hearing, respondent
16 freely and voluntarily waives each and every one of these rights set forth above and admits the
17 truth of the allegations contained in Accusation No. 02-1999-96862. Respondent agrees that
18 cause exists to discipline his physician and surgeon's license pursuant to Business and
19 Professions Code section 2239(a), and hereby surrenders his license for the Board's formal
20 acceptance.

21 7. Respondent understands that by signing this stipulation he is enabling the
22 Medical Board of California to issue its order accepting the surrender of his license without
23 further process. He understands and agrees that Board staff and counsel for complainant may
24 communicate directly with the Board regarding this stipulation, without notice to or participation
25 by respondent. In the event that this stipulation is rejected for any reason by the Board, it will be
26 of no force or effect for either party. The Board will not be disqualified from further action in
27 this matter by virtue of its consideration of this stipulation.

1 8. Upon acceptance of the stipulation by the Board, respondent understands
2 that he will no longer be permitted to practice as a physician and surgeon in California, and also
3 agrees to surrender and cause to be delivered to the Board both his license and wallet certificate
4 before the effective date of the decision.

5 9. Respondent fully understands and agrees that if he ever files an application
6 for relicensure or reinstatement in the State of California, the Board shall treat it as a petition for
7 reinstatement, and the respondent must comply with all the laws, regulations and procedures for
8 reinstatement of a revoked license in effect at the time the petition is filed.

9 10. Respondent understands that he may not petition for reinstatement as a
10 physician and surgeon for a period of three (3) years from the effective date of his surrender.
11 Information gathered in connection with accusation number 02-1999-96862 may be considered
12 by the Division of Medical Quality in determining whether or not to grant the petition for
13 reinstatement. For the purposes for the reinstatement hearing, the allegations in accusation
14 number 02-1999-96862 shall be deemed to be admitted by respondent, and respondent waives
15 any and all defenses based on a claim of laches.


16 11. All recitals contained in this stipulation are made solely for the purpose of
17 settlement in this proceeding and for any other proceedings in which the Medical Board of
18 California or other professional licensing agency is involved, and shall not be admissible in any
19 other criminal or civil proceedings.

20 ACCEPTANCE

21 I, Mayna Meah Choudry, M.D., have carefully read the above stipulation and
22 enter into it freely and voluntarily and with full knowledge of its force and effect, and do hereby
23 surrender my Physician and Surgeon's Certificate No. ~~G-82347~~, to the Division of Medical
24 Quality, Medical Board of California, for its formal acceptance. By signing this stipulation to
25 surrender my license, I recognize that upon its formal acceptance by the Board, I will lose all
26 rights and privileges to practice as a physician and surgeon in the State of California and I also
27 will cause to be delivered to the Board both my license and wallet certificate before the effective


1 date of the decision.

2 DATED: 3/21/00.

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5 MAYNA MEAH CHOUDRY, M.D.
6 Respondent

7 I have fully discussed with respondent, Mayna Meah Choudry, M.D., terms and
8 conditions and other matters contained in the above Stipulation for Surrender of License and
9 approve its form.

10 DATED: 3/21/00.

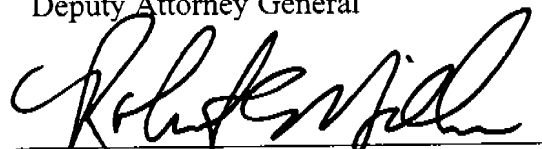
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12 
13 ALBERT J. GARCIA, ESQ.
14 Attorney for Respondent

15 **ENDORSEMENT**

16 I concur in the stipulation.

17 DATED: 4/6/00.

18 BILL LOCKYER, Attorney General
19 of the State of California
20 GAIL M. HEPPELL, Supervising
21 Deputy Attorney General

22 
23 ROBERT C. MILLER
24 Deputy Attorney General

25 Attorneys for Complainant

1 BILL LOCKYER, Attorney General
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6 Attorneys for Complainant

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO Aug 30 1999
BY [Signature] ANALYST

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BEFORE THE
DIVISION OF MEDICAL QUALITY
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation)	Case No. 02-1999-96862
Against:)	
)	
MAYNA MEAH CHOUDRY, M.D.)	ACCUSATION
P. O. Box 788)	
Chowchilla, CA 93610)	
)	
Physician and Surgeon's)	
Certificate No. G-82347,)	
)	
Respondent.)	

The Complainant alleges:

PARTIES

1. Complainant, Ronald Joseph, is the Executive Director of the Medical Board of California (hereinafter the "Board") and brings this accusation solely in his official capacity.
2. On or about August 14, 1996, Physician and Surgeon's Certificate No. G-82347 was issued by the Board to Mayna Meah Choudry (hereinafter "respondent"), and at all times

1 relevant to the charges brought herein, this license has been in
2 full force and effect. Unless renewed, it will expire on April
3 30, 2000.

4 JURISDICTION

5 3. This accusation is brought before the Division of
6 Medical Quality of the Medical Board of California, Department of
7 Consumer Affairs (hereinafter the "Division"), under the
8 authority of the following sections of the California Business
9 and Professions Code (hereinafter "Code") and/or other relevant
10 statutory enactment:

11 A. Section 2227 of the Code provides that the Board
12 may revoke, suspend for a period not to exceed one year, or
13 place on probation, the license of any licensee who has been
14 found guilty under the Medical Practice Act, and may recover
15 the costs of probation monitoring if probation is imposed.

16 B. Section 2239(a) of the Code provides in pertinent
17 part that the self-use or self-administration of controlled
18 substances constitutes unprofessional conduct.

19 C. Section 125.3 of the Code provides in pertinent
20 part that the Board may request the administrative law judge
21 to direct any licentiate found to have committed a violation
22 or violations of the licensing act to pay the Board a sum
23 not to exceed the reasonable costs of the investigation and
24 enforcement of the case.

25 D. Section 14124.12(a) of the Welfare & Institutions
26 Code provides in pertinent part that upon written notice of
27

1 the Medical Board of California that a physician and
2 surgeon's medical license has been placed on probation as a
3 result of a disciplinary action, no Medi-Cal claim for the
4 type of surgical service or invasive procedure giving rise
5 to the probationary order and performed on or after the
6 effective date of said probationary order or during the
7 period of probation shall be reimbursed, except upon a prior
8 determination that compelling circumstances warrant the
9 continuance of reimbursement during the probationary period
10 for procedures other than those giving rise to the
11 probationary order.

12 4. Respondent is guilty of unprofessional conduct
13 within the meaning of Code section 2239(a) as more particularly
14 set forth hereinbelow.

15 **FIRST CAUSE FOR DISCIPLINE**

16 (Self-Use/Administration of Controlled Substance)
[Bus. & Prof. Code § 2239(a)]

17 5. On or about April 7-8, 1999, respondent possessed
18 and self-used and/or self-administered cocaine, a controlled
19 substance. A urine toxicology screen performed on or about April
20 8, 1999 from a urine specimen taken from respondent at or about
21 2155 hours on that date was positive for cocaine.

22 6. Respondent's conduct as set forth in paragraph 5,
23 above, constitutes unprofessional conduct within the meaning of
24 Code section 2239(a).

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1 PRAYER

2 WHEREFORE complainant requests that a hearing be held
3 on the matters herein alleged and that, following the hearing,
4 the Division issue a decision:


5 1. Revoking or suspending Physician and Surgeon's
6 Certificate Number G-82347 heretofore issued to respondent Mayna
7 Meah Choudry, M.D.;

8 2. Revoking, suspending or denying approval of
9 respondent's authority to supervise physician assistants pursuant
10 to Code section 3527;

11 3. Ordering respondent to pay the Division the actual
12 and reasonable costs of the investigation and enforcement of this
13 case and the costs of probation monitoring if probation is
14 imposed; and

15 4. Taking such other and further action as the
16 Division may deem necessary or proper.

17 DATED: August 30, 1999

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20 
21 Ronald Joseph
22 Executive Director
23 Medical Board of California
24 Department of Consumer Affairs
25 State of California

26 Complainant

27 forms\accuse [115 rev]